IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1839 OF 2006

Shri Akram Mohammed Khan ...Applicant
V/s
The State of Maharashtra ...Respondent.

Mr. N.J. Gonsalves for the applicant.
Ms. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 4th May, 2006

P.C.

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 3/9/2005 in connection with the offence punishable under sections 382, 511, 353, 333 of the Indian Penal Code which was registered with Bhoiwada Police Station vide C.R. No.196 of 2005.

3. It is alleged that the applicant tried to pick the pocket of one commuter who was travelling in a bus and, while running away, he slashed a razor and one person was injured, he received incise injury on the palm of his hand. The applicant is in jail since then.

4. The learned APP appearing on behalf of the State has invited my attention to the past antecedent of the

present applicant. There are five cases pending against the applicant for the offence punishable under section 379. In the present case, it is an admitted position that the applicant was not successful in his attempt to steal the wallet and he has slashed a razor as a result of which one person was injured.

5. Since the charge-sheet has been filed and since the earlier offences are under section 379, in my view, the applicant is liable to be released on bail. The applicant therefore be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount. He shall report to the concerned Police Station twice in a month. He shall, however, not tamper with the evidence or threaten any of the witnesses.

6. The trial court shall not be influenced by any observations made by this Court while deciding this application and the same may not be construed as an expression of opinion on the merits of the case. The trial court shall decide the case on its own merits and in accordance with law.

7. Application is accordingly disposed of.

V.M. KANADE, J.